

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

United States, )  
                        )  
                        )  
Plaintiff,         )  
                        )  
                        )  
vs.                 )  
                        )  
                        )  
Gary Kent Johnson, Jr.,         )  
                        )  
                        )  
Defendant.         )  
                        )  
                        )  
                        )

3:12-cr-00100-RCJ-CBC-1

**ORDER**

## ORDER

In his Motion for Relief from First Step Act (ECF No. 109), the Defendant argues that he is entitled to good time credit that the Bureau of Prisons is “not recognizing.” Challenges regarding good time credit need to be raised in a 28 U.S.C. § 2241 habeas corpus petition. *Reno v. Koray*, 515 U.S. 50, 53 (1995). Here the Defendant simply filed a motion as part of his criminal case. The challenges need to be sought in the district of confinement. *Harrison v. Ollison*, 519 F.3d 952, 956 (9th Cir. 2008). Here the Defendant is confined in Missouri. See Federal Bureau of Prisons, Find an Inmate, <https://www.bop.gov/inmateloc/> (last visited on May 9, 2019). Lastly, the writs need to be sought only after a defendant has exhausted the administrative remedies. *Tucker v. Carlson*, 925 F.2d 330, 332 (9th Cir. 1991). Here the Defendant has not made such a showing. For all of these reasons, the Court denies the Defendant’s motion.

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## CONCLUSION

IT IS HEREBY ORDERED that the Defendant's Motion for Relief from First Step Act (ECF No. 109) is DENIED.

IT IS SO ORDERED.

Dated this 29th day of May, 2019.

ROBERT C. JONES  
United States District Judge